

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

August 27, 2001

- C030247 THE PEOPLE v. ELAM (Not for Publication)**
The judgment (order of commitment) is affirmed.
 MORRISON, J.
We concur: Scotland, P.J.
 Sims, J.
- C032581 THE PEOPLE v. HEARNE (Not for Publication)**
The judgment is affirmed.
 NICHOLSON, J.
We concur: Davis, Acting P.J.
 Kolkey, J.
- C036427 THE PEOPLE v. FIELDS (Not for Publication)**
Defendant's conviction for burglary (count 002) is reversed. In all other respects,
the judgment is affirmed.
 RAYE, J.
We concur: Blease, Acting P.J.
 Nicholson, J.
- C030444 DEMATES v. STATE STREET BANK et al. (Not for Publication)**
The judgment in favor of Citicorp Mortgage, Inc. and State Street Bank is
affirmed; the judgment in favor of Safeguard Properties, Inc. is reversed and the
matter remanded for further proceedings. Citicorp Mortgage, Inc. and State
Street Bank are entitled to their costs on appeal. Demates shall recover her
costs on appeal from Safeguard Properties, Inc. (Cal. Rules of Court,
rule 26 (a).)
 KOLKEY, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.
- C033777 THOMPSON et al. v. ST. JOSEPH'S MEDICAL CENTER et al. (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Davis, Acting P.J.
 Kolkey, J.
- C034245 MULLER v. COUNTY OF SACRAMENTO (Not for Publication)**
The judgment is reversed, and the matter is remanded to the trial court with
directions to deny Muller's petition for a peremptory writ of mandate.
 SCOTLAND, P.J.
We concur: Blease, J.
 Nicholson, J.

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The Minutes

August 27, 2001, continued

- C035030 AWAR et al. v. LECLERC et al. (Not for Publication)**
The judgment of dismissal is affirmed. Defendants' request for judicial notice, dated January 12, 2001, is denied.
NICHOLSON, J.
We concur: Blease, Acting P.J.
 Kolkey, J.
- C036855 GROSSEN et al. v. MCCLOUD RIVER FLY FISHING CLUB (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Davis, J.
 Callahan, J.
- C036360 In re CHRISTINA A.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. CHRISTINA A. (Certified for Publication)**
The juvenile court erred in scheduling the review hearing on a date six months from the day of the dispositional hearing. However, we cannot provide any meaningful relief because the date of the review hearing has come and gone while this appeal was pending (see part I, ante). Accordingly, the order adjudging the minor to be a dependent child and setting the status review hearing is affirmed.
SCOTLAND, P.J.
We concur: Blease, J.
 Sims, J.
- C037292 In re MARIA A. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. RUBEN R. et al. (Not for Publication)**
The orders of the juvenile court are affirmed.
SCOTLAND, P.J.
We concur: Davis, J.
 Morrison, J.
- C038567 CATRINA A. v. SUPERIOR COURT OF SACRAMENTO COUNTY and DEPARTMENT OF HEALTH AND HUMAN SERVICES (Not for Publication)**
The petition is denied.
BLEASE, Acting P.J.
We concur: Nicholson, J.
 Raye, J.

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August 28, 2001

C036149 THE PEOPLE v. BROWN (Not for Publication)
The conviction on count four is vacated. The judgment is otherwise affirmed.
The trial court shall prepare an amended abstract of judgment and forward it to
the Department of Corrections.
 DAVIS, J.
We concur: Scotland, P.J.
 Kolkey, J.

**C035685 COALITION FOR ALTERNATIVES TO KIEFER LANDFILL v. COUNTY OF
SACRAMENTO (Not for Publication)**
The judgment is affirmed.
 CALLAHAN, J.
We concur: Nicholson, Acting P.J.
 Raye, J.

August 29, 2001

C034072 THE PEOPLE v. ANDREOTTI (Certified for Publication)
The judgment (order granting probation) is affirmed.
 MORRISON, J.
We concur: Raye, Acting P.J.
 Hull, J.

C035302 THE PEOPLE v. WILKINS (Not for Publication)
The judgment (order granting probation) is affirmed.
 HULL, J.
We concur: Scotland, P.J.
 Callahan, J.

C035354 THE PEOPLE v. JOHNSON (Not for Publication)
The judgment is affirmed.
 MORRISON, J.
We concur: Davis, Acting P.J.
 Hull, J.

C035553 THE PEOPLE v. TRAN (Not for Publication)
The judgment is reversed and the matter is remanded to the trial court for further
proceedings.
 RAYE, J.
We concur: Davis, Acting P.J.
 Hull

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August 29, 2001, continued

- C037009 THE PEOPLE v. HORN (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Davis, Acting P.J.
 Raye
- C037479 THE PEOPLE v. JACKSON (Not for Publication)**
The judgment (order) is affirmed.
 HULL, J.
We concur: Sims, Acting P.J.
 Callahan, J.
- C029948 KROUGH v. REYNOLDS PACKING INC. (Certified for Publication)**
The judgment is affirmed. Defendant shall recover its costs on appeal. (Cal Rules of Court, rule 26 (a).)
 KOLKEY, J.
We concur: Nicholson, Acting P.J.
 Morrison, J.
- C036204 MORGAN v. AKINS (Not for Publication)**
The judgment is affirmed.
 MORRISON, J.
We concur: Davis, Acting P.J.
 Callahan, J.
- C037280 COUVILLION v. COUVILLION (Not for Publication)**
The judgment is affirmed. The matter is remanded to the trial court for a determination of attorney fees on appeal to be awarded to Jean. Jean shall receive her costs on appeal.
 SIMS, Acting P.J.
We concur: Davis, J.
 Hull, J.

August 30, 2001

- C030469 THE PEOPLE v. MORGAN (Certified for Publication)**
The judgment and sentence are reversed and defendant's plea is set aside. The case is remanded to the trial court for proceedings consistent with this opinion. (CERTIFIED FOR PUBLICATION.)
 BLEASE, Acting P.J.
We concur: Sims, J.
 Hull, J.

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August 30, 2001, continued

- C032907 THE PEOPLE v. DIXON (Not for Publication)**
The judgment is affirmed.
 KOLKEY, J.
We concur: Sims, Acting P.J.
 Callahan, J.
- C035076 THE PEOPLE v. JACKSON (Not for Publication)**
We remand for limited resentencing on count 23, the second act of penetration with a foreign object with force involving victim Chanel H. In all other respects, we affirm the judgment. On remand, the trial court shall exercise its discretion pursuant to section 667.6, subdivision (c) to determine if defendant should be given a full, consecutive term for count 23. If the court decides not to impose a full, consecutive term for the offense, it is directed to enter an amended abstract of judgment reflecting the modified sentence and to forward a certified copy of the amended abstract to the Department of Corrections.
 CALLAHAN, J.
We concur: Davis, Acting P.J.
 Nicholson, J.
- C034001 JAUREGUI v. RAY STONE, INC. et al. (Not for Publication)**
The judgment is affirmed.
 MORRISON, J.
We concur: Davis, Acting P.J.
 Hull, J.
- C035248 KALIS et al. v. LUKENBILL (Not for Publication)**
The judgment is affirmed.
 DAVIS, Acting P.J.
We concur: Callahan, J.
 Kolkey, J.
- C035605 CARRILLO v. SACRAMENTO CITY UNIFIED SCHOOL DISTRICT et al. (Not for Publication)**
The order awarding attorney fees is affirmed. The cause is remanded to the trial court with directions to award defendants reasonable attorney fees on appeal. Defendants shall also recover their costs on appeal.
 CALLAHAN, J.
We concur: Davis, Acting P.J.
 Kolkey, J.

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August 31, 2001

- C034325 THE PEOPLE v. JOHNSON (Not for Publication)**
The judgment is affirmed.
 MORRISON, J.
I concur: Hull, J.
I concur in the result:
 Raye, Acting P.J.
- C035394 THE PEOPLE v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and
SHIELDS (Not for Publication)**
Let a peremptory writ of mandate issue directing respondent superior court to set aside its order of dismissal and to proceed with the probable cause hearing in this matter. The alternative writ, having served its purpose, is discharged. Upon finality of this opinion, the stay order issued previously is vacated.
 HULL, J.
We concur: Blease, Acting P.J.
 Davis, J.
- C037513 THE PEOPLE v. SEGARRA (Not for Publication)**
The judgment is affirmed.
 NICHOLSON, J.
We concur: Blease Acting P.J.
 Sims, J.
- C037563 THE PEOPLE v. WHITE (Not for Publication)**
The judgment is affirmed.
 NICHOLSON, J.
We concur: Blease, Acting P.J.
 Sims, J.
- C038185 THE PEOPLE v. DAVIS (Not for Publication)**
The judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Sims, J.
 Nicholson, J.
- C038313 THE PEOPLE v. PATTERSON (Not for Publication)**
The judgment is modified to impose a \$50 criminal laboratory analysis fee, a \$50 state penalty assessment and a \$35 county penalty assessment. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections
 NICHOLSON, J.
We concur: Blease, Acting P.J.
 Sims, J.

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August 31, 2001, continued

- C035635 LIMA v. WORKERS' COMPENSATION APPEALS BOARD and AMERICAN RIVER FIRE DISTRICT (Not for Publication)**
The Board's order is affirmed.
 NICHOLSON, J.
We concur: Davis, Acting P.J.
 Callahan, J.
- C036186 MICHALOWSKI v. WILLS et al. (Not for Publication)**
The judgment (order granting new trial) is reversed. The matter is remanded to the trial court with directions to vacate its order granting new trial and to reinstate the original judgment for plaintiff. Plaintiff shall receive his costs on appeal.
 SIMS, Acting P.J.
We concur: Raye, J.
 Morrison, J.
- C036801 FLOYD et al. v. CLEGHORN et al. (Not for Publication)**
The judgment (order) is affirmed.
 BLEASE, Acting P.J.
We concur: Sims, J.
 Hull, J.
- C035948 In re MARIAH M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. FLORA M. et al. (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Scotland, P.J.
 Callahan, J.
- C038636 THE PEOPLE v. JANSEN**
C038637 BY THE COURT:
C038638 Good cause appearing, it is ordered that the above cases be consolidated. All further filings will bear the number C038636.
 SCOTLAND, P.J.